

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

QUENTIN TYLER MIMS, ET AL.,

§

vs.

§

CARRIER CORP.

§

CASE NO. 2:06-CV-206

**ORDER**

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Chad Everingham pursuant to 28 U.S.C. § 636. The report of the Magistrate Judge, which contains his proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration. The undersigned has reviewed Carrier's objections to the Magistrate's report and recommendation, and is of the opinion that the findings and conclusions of the Magistrate Judge are correct. Therefore, the court hereby adopts the report of the United States Magistrate Judge as the findings and conclusions of this court.

Accordingly, it is ordered that the plaintiffs give notice of this lawsuit to a limited class, consisting of the employees in the Charlotte plant, Collierville plant, McMinnville plant, Tyler plant, and Indianapolis plant. If future evidence reveals that the alleged violations exist on a wider scale, then notice may be expanded to those locations, as justified by the evidence. The parties are ordered to meet and confer with regard to the form of notice and the information required for the mailing of notice to the above-specified individuals. To the extent the parties are unable to agree on a form of notice and the information required for the mailing of notice, the parties are ordered to file their competing proposals with the court within 10 days. It is also ordered that potential opt-in class members have 60 days from the sending of notice to mail their consent to the plaintiffs' counsel.

SIGNED this 31st day of March, 2008.

  
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T. JOHN WARD  
UNITED STATES DISTRICT JUDGE